

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 26028 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- SAHARSA SADAR District- Saharsa

SHANKAR KUMAR @ BABLU MANDAL @ SHANKAR MANDAL S/o
Late Rajendra Mandal Resident of villager/Mohalla-Nayabazar, Ward No. 09,
P.S.-Saharsa, District-Saharsa (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Anant Kumar 1, Advocate
For the Opposite Party/s : Mr Md Fahimuddin, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Saharsa Sadar Police Station (for brevity, **PS**) Case No 25 of 2023 dated 13.01.2023 registered for the offence punishable under Sections 363, 366A, 120B, 506/34 of Indian Penal Code and Sections 8 and 12 of Protection of Children from Sexual Offences (for brevity, **POCSO**) Act.



As per prosecution case, the petitioner and co-accused persons are alleged to have kidnapped the grand daughter of the informant for the purpose of marriage with co-accused Sunny Mandal.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has been made accused in this case because he is the father of the co-accused Sunny Mandal. There was love affairs between the victim and the co-accused Sunny Kumar and the victim has solemnized marriage with the co-accused Sunny Mandal. The petitioner is accused in three more criminal cases, as stated in paragraph 3 of the bail petition in which he is on bail in all the cases. He is in custody in this case since 14.01.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VI -cum- Special Judge (POCSO), Saharsa in Saharsa Sadar PS Case No



25 of 2023 dated 13.01.2023.

This application stands allowed.

(Chandra Prakash Singh, J)

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